

Notice of Allowability

Application No.

10/769,963

Examiner

Gregory R. Del Cotto

Applicant(s)

REINHARDT ET AL.

Art Unit

1751

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amend. filed 10/29/04.
2. ☒ The allowed claim(s) is/are 1, 3-10 renumbered 1-9.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 11/1/04.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Richard Silverman on November 1, 2004.

The application has been amended as follows:

The Claims:

In claim 7, line 2, delete "weightof" and insert – weight of --.

In claim 10, line 2, delete "the" and insert – a --.

REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance:

Note that, Applicant's amendments, Applicant's arguments, and the Examiner's Amendment are sufficient to place the instant claims in condition for allowance.

Of the references of record, the most pertinent are Van Kralingen et al (US 5,114,611), Whitney et al ("A Study of the Electronic and Sturctural Properties of Bis(pyridine)dichloroiron(II)), Witteveen et al ("Antiferromagnetic interaction in dichlorobis(pyrazole)manganese(II); Three Independent Determinations), or H.T. Witteveen (Linear-Chain Antiferromagnetism in compound MnX_2L_2 , with $X=Cl, Br$ and $L = Pyrazole, Pyridine$).

Van Kralingen et al teach peroxy compound bleaching which is activated by a catalytic amount of a transition metal complex of a transition metal. Bleaching agent and bleach detergent compositions are also disclosed comprising a peroxy compound bleach and said transition metal complex. However, Van Kralingen et al does not teach the specific transition metal complexes as recited by the instant claims.

Whitney et al teach the preparation of bis(pyridine)dichloroiron(II).

Witteveen et al ("A Study of the Electronic and Structural Properties of Bis(pyridine)dichloroiron(II)) teach the preparation of $\text{Mn}(\text{pyrazole})_2\text{Cl}_2$.

Witteveen et al (Linear-Chain Antiferromagnetism in compound MnX_2L_2 , with $\text{X}=\text{Cl}$, Br and $\text{L} = \text{Pyrazole}$, Pyridine) teach the compounds MnX_2L_2 , with $\text{X}=\text{Cl}$, Br and $\text{L} = \text{Pyrazole}$, Pyridine .

However, Whitney, Witteveen et al, or Witteveen et al teach the combination of the specific transition metal complex and a peroxygen compound as recited by the instant claims.

None of the references of record, alone or in combination, teach or suggest a washing, bleaching, or cleaning composition containing a the specific transition metal complex, a peroxygen compound, and the other requisite components of the composition as recited by the instant claims. Additionally, none of the references of record, alone or in combination, teach or suggest a method for increasing the oxidation and bleaching action of a peroxygen compound by mixing a peroxygen compound with the specific transition metal complex as recited by the instant claims. Accordingly, since

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the prior art fails to teach or suggest such a composition or method as recited by the instant claims, the instant claims are deemed allowable.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory R. Del Cotto whose telephone number is (571) 272-1312. The examiner can normally be reached on Mon. thru Fri. from 8:30 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Yogendra Gupta can be reached on (571) 272-1316. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Gregory R. Del Cotto

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Primary Examiner

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GRD

November 1, 2004